

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JELLETT LAW, P.S., 910 Harris Ave, Ste A206 Bellingham, WA 98225		FOR COURT USE ONLY
TELEPHONE NO: 360 527 9400		FAX NO. (Optional):
EMAIL ADDRESS (Optional): matth@jellaw.com		
ATTORNEY FOR (Name): BRAD HOLTORF,		
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PLAINTIFF/PETITIONER: BRAD HOLTORF,		CASE NUMBER: 3:09-CV-04660-EDL
DEFENDANT/RESPONDENT: SCOTT VOGLER, AN INDIVIDUAL AND POCKET BIKES UNLIMITED, A DOMESTIC CORPORATION		
PROOF OF SERVICE OF SUMMONS		
Ref. No. or File No.: P415838INF		

Form Adopted for Mandatory Use
Judicial Council of California
POS-010 (Rev. January 1, 2007)

PROOF OF SERVICE OF SUMMONS

Code of Civil Procedure, § 417.10

Order No. 8173639 SEA



http://www.abclegal.com/psr/proofs/california.asp?ord=8173639&typ=personal&ttl=Calif... 5/27/2010

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DEFENDANT/RESPONDENT: SCOTT VOGLER, AN INDIVIDUAL AND POCKET BIKES UNLIMITED, A DOMESTIC CORPORATION		Ref. No. or File No.: P416638INF
PROOF OF SERVICE OF SUMMONS		

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the (specify documents):

Summons in A Civil Action; Complaint; Order Setting Initial Case Management Conference and Adr Deadlines; Standing Order Re; Case Management Conference; Notice of Assignment of Case to A United States Magistrate Judge for Trial; Consent to Proceed Before A United States Magistrate Judge; Declination to Proceed Befor A Magistrate Judge and Request for Reassignment to A United State District Judge;plaintiff's Certificate of Interested Entities or Persons

3. a. Party served (specify name of party as shown on documents served):

SCOTT VOGLER

b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):

4. Address where the party was served:

750 PARK Drive, BEN LOMOND, CA 95005

5. I served the party (check proper box)

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **5/25/2010** (2) at (time): **3:58 PM**

b. by substituted service. On (date): **5/25/2010** (2) at (time): **3:58 PM** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):

- (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) (physical address unknown) a person of at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): **5/25/2010** from (city): **BEN LOMOND, CA** or a declaration of mailing is attached.
- (5) I attach a declaration of diligence stating actions taken first to attempt personal service.

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c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
 (1) on (date): (2) from (city):
 (3) with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30)
 (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)

d. by other means (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. as an individual defendant.
 b. as the person sued under the fictitious name of (specify):
 c. as occupant
 d. On behalf of (specify):

under the following Code of Civil Procedure section:

<input type="checkbox"/> 416.10 (corporation)	<input type="checkbox"/> 415.95 (business organization, form unknown)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.30 (joint stock company/association)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 416.80 (authorized person)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> 415.46 (occupant)
	<input type="checkbox"/> other

7. Person who served papers

a. Name: **Carl Moore**
 b. Address: **5301 Columbia ave, Richmond, CA 94804**
 c. Telephone number: **510-213-8813**
 d. The fee for service was: **\$170.00**
 e. I am:
 (1) not a registered California process server.
 (2) exempt from registration under Business and Professions Code section 22350(b).
 (3) registered California process server:
 (i) owner employee independent contractor
 (ii) Registration No.: **2009-97**
 (iii) County: **Sacramento**

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 or

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **6/27/2010**

Carl Moore

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

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